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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of the States parties

LIBYAN ARAB JAMAHIRIYA

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REPORT OF THE LIBYAN ARAB JAMAHIRIYA ON MEASURES TAKEN FOR THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Addendum

In order to reflect the changes and developments that have taken place subsequent to the preparation of the report on measures taken for the elimination of discrimination against women that was previously submitted to the Committee on the Elimination of Discrimination against Women and that the Committee decided it would consider at its thirteenth session, to be held from 17 January to 4 February 1994, the Great Jamahiriya has deemed it necessary to add the comments and to make the modifications set forth below.

1. The status of women and feminist activities

One of the new developments that promote the status of women in leadership positions and their active role in Libyan Arab society is the establishment in September 1992 of a new department of women's affairs in the secretariat of the General People's Congress to deal with women's issues and oversee the activities of women's organizations.

2. Prostitution

Libyan legislation prohibits prostitution, and, in keeping with Islamic law, it is subject to the severest penalties under the provisions of articles 417 to 419 of the Penal Code. As indicated in chapter VII of the report as submitted, Libyan legislation basically criminalizes prostitution and penalizes and prevents its practice. There are consequently no centres for the rehabilitation of women in order to prevent them from returning to prostitution. The activity is unlawful in the Jamahiriya.

3. Prevention of AIDS

According to official information issued by the secretariat of the General People's Committee for Health and Social Security, there are no cases of AIDS in the Jamahiriya among Libyan nationals. A number of cases have, however, been detected among expatriate workers in the country, and the General People's Committee for Health and Social Security has thus found it necessary to formulate an integrated plan to combat this deadly disease.

4. Services to disabled women

It should be recalled that it was the Jamahiriya that proposed to the General Assembly the proclamation of 1981 as the International Year of Disabled Persons. In view of the importance of this issue, a national committee for disabled persons was established in 1979.

The General People's Congress then enacted Law No. 3 of 1981 concerning disabled persons, which was later amended by Law No. 5 of 1987. Article 1 of the Decree establishing the National Committee for the Care of the Disabled and regulating its activities stipulates that the prevention of disability is the responsibility of the individual, the family, the community and the popular

institutions, organizations and agencies in society. Article 2 of the Disabled Persons Law defines the disabled person as one suffering from a permanent impairment that totally or partially inhibits functioning or full participation in society, whether that impairment be in intellectual, mental, sensory or physical capacity and whether the cause of disability be congenital or acquired. Article 3 of the Decree presents a classification of disabled persons. The services and amenities established for disabled persons are set forth in article 4. They are: shelter; domestic assistance service; prosthetic devices; education; training and rehabilitation; appropriate employment for the qualified or retraining; exemption of the incomes of the self-employed from taxation; facilities for travel by land, sea or air within the Jamahiriya or to overseas destinations; exemption from payment of customs duties on items imported from abroad for the particular use of disabled persons; and priority access for disabled persons to public places.

As stated in the introduction to the report, the laws in force apply equally to men and women, and the same is true of access to the services and facilities for which provision is made in the Disabled Persons Law.

The overall survey of the number of disabled persons and of the percentage of women among them has yet to be completed. However, the preliminary data available indicate that there are some 60,000 disabled men and women. The chief causes of disability are shrapnel, bombs and mines left by the Allied and Axis forces in the Second World War on Libya's shores and in its desert oases, road accidents, congenital factors and work-related accidents. A copy of the Disabled Persons Law is annexed hereto for ease of reference to those of its articles that regulate access to facilities and benefits, training, shelter and accommodation, cash grants and the rights, privileges and exemptions for disabled persons guaranteed by law in the Jamahiriya.

5. Polygamy

Polygamy is legal in the Jamahiriya under the provisions of Law No. 10 of 1984, concerning marriage and divorce. It is nevertheless subject to consent and to certain conditions, including the agreement of the first wife, the presence of adequate and convincing justification, the financial capacity of the husband and the approval of the competent authority in the General People's Committee for Health and Social Security after conducting a social inquiry and meeting with the first wife in order to examine the reasons given for seeking a second wife.

6. Women in the judicial system and the office of the public prosecutor, and women people's attorneys

Law No. 8 of 1989, concerning the right of women to appointment to positions in the judicial system, guarantees women the opportunity for appointment to such posts. Women have, in fact, occupied such posts as deputy prosecutor, judge, attorney in the government Department of Justice, people's attorney and legal counsellor. The following figures show the proportion of women to men in the judicial system: three women judges as against 300 men; 73 women attorneys as against 620 men; 40 women legal counsellors as against 800 men; and 100 women legal counsellors in the private sector as against 600 men.

7. Special leave

Libyan legislation with regard to appointment to public office makes no distinction between men and women in terms of salary, leave or other entitlements except in the case of maternity leave. The law makes provision for maternity leave before and after childbirth for a period of three months on full salary. Provision is also made for three days' leave in the event of the death of a husband or a relative to the fourth degree, and this is called "emergency leave".

8. Women and homicide

Murder is forbidden by Libyan law and is punishable by the severest of penalties, namely execution by hanging, whether the victim is male or female, minor or adult, rich or poor, a citizen or a foreigner, in accordance with articles 368 to 375 of the Penal Code. There have been very few cases of murder, and they have been for reasons unrelated to discrimination against women.

9. Women's non-governmental organizations

Law No. 106 of 1975, concerning women's organizations, was enacted in order to enable women to engage in political and social activities through women's non-governmental organizations and freely to assume a positive role by holding lectures, seminars and exhibitions to promote women's awareness of the issues affecting them, by providing education and training programmes for the eradication of illiteracy and by the acquisition of skills and capacities in child rearing, health care, knitting and domestic management, particularly in the case of housewives in rural areas. There are some such organizations that provide services restricted to the care of orphans, such as the Hana' society. There are more than 33 women's societies, such as Al-Qabilat society for mother and child welfare in Tripoli, throughout the Jamahiriya. They are shown in the attached table.

Table

Women's societies and formations in all regions of the Jamahiriya

Societies			Formations		
	Location	Name		Location	Name
1	Al-Bayda'	Libyan Women's Society	1	Tripoli	Al-Jil al-Taqaddumi
2	Benghazi	The New Woman	2	Tripoli	Fatat al-Thawrah
3	Darnah	Dhat al-Nitaqayn	3	Tripoli	Al-Qawmi al-Ta'bawi
4	Tripoli	League of Arab Women	4	Al-Marj	Fatat al-Nidal
5	Gharyan	Al-Ummahat al-Khalidat	5	Tamimi	Fatat al-Urubah
6	Ajdabiya	Advancement of Women	6	Tobruk	Fatat al-Thawrah al-Arabiyah
7	Zawiyah	New Dawn	7	Sabha	Fatat al-Khulud
8	Misratah	Women's Guidance	8	Darnah	Fatat al-Amal
9	Sabha	Feminist Renaissance	9	Surt	Umm al-Abtal
10	Waddan	Women's Vanguard	10	Al-Qubbah	Fatat al-Thawrah
11	Al-Khums	Al-Amal	11	Benghazi	Fatat al-Mukhtar
12	Tobruk	Fatimah al-Zahra'	12	Ajdabiya	Fatat al-Mithaq
13	Hun	Women's Education Society	13	Zawiyah	Al-Fida'
14	Zlitan	Al-Fatat al-Arabiyah	14	Benghazi	Fatat al-Arabiyah
15	Surt	Al-Wafa'	15	Al-Jamil	Fatat al-Taqaddum
16	Al-Marj	Al-Fatih Women's Society	16	Benghazi	Fatat al-Ansariyah
17	Bin Jawwad	Shahirat al-Islam	17	Gharyan	Fatat al-Intilaqah al-Arabiyah
18	Al-Ujaylat	Khawlah bint al-Azwar	18	Zawiyah	Fatat al-Wajib
19	Ghat	Fatat al-Sahra'	19	Umm Sa'id	Al-Wahdah al-Arabiyah
20	Awbari	Wadi al-Amal wa-al-Hayat	20	Tarhunah	Fatat al-Thawrah al-Arabiyah
21	Zawarah	Za'imah al-Baruni	21	Zawiyah	Al-Kifah
22	Jalu	Fatat al-Wahah	22	Suluq	Fatat al-Basha'ir
23	Saman	Rabi'at al-Udawiyah	23	Kufrah	Al-Sharit al-Akhdar
24	Susah	Al-Nidal	24	Jadu	Za'imah al-Baruni
25	Marzaq	Al-Nidal	25	Al-Ruhaybat	Fatat Nasir al-Thawrah
26	Wadi al-Shati	Asma' bint Abi Bakr	26	Al-Rujban	Al-Fatat al-Tha'irah
27	Jadu	Al-Majd	27	Martubah	Al-Rabitah al-Sha'biyah
28	Al-Ruhaybat	Al-Shuriq	28	Al-Bayda'	Al-Fatih
29	Al-Rujban	Al-Jil al-Sa'id	29	Qaminis	Fatat al-Hurriyah
30	Al-Jamil	Safiyah Abd al-Mutallib	30	Ghadamis	Al-Harakah al-Qadhdhafiyah
31	Kufrah	Shuhada' al-Hawariyah	31	Sabha	Al-Tala'i al-Thawriyah
32	Afis	Al-Tadamun al-Arabi	32	Hun	Fatat Hun
33	–		33	Misratah	Fatat al-Badiyah

10. Women, violence and abduction

Libyan law prohibits all forms of violence and abduction, within and outside the family, under the provisions of articles 412 to 418 of the Penal Code.

11. One-parent families and special assistance

In the Libyan family the general rule is for the family to be supported by the father. Should the father die, the family has full entitlement to his salary in accordance with the Libyan law on this subject. If the father is not in the employ of the State and leaves no property to provide for his family, then society undertakes to provide a monthly allowance to his family on the principle that "society is the guardian of those who have none", in accordance with the provisions of Law No. 16 of 1985, on basic allowances, as amended by Law No. 25 of 1991.

12. Women and leadership positions

Women have been appointed to all offices in the Great Jamahiriya, although they have not reached parity with men with regard to leadership positions.

13. Women and military service

The establishment of the authority of the people has required the defence of the homeland to be the responsibility of all its citizens, men and women alike, through enlistment in general military training programmes in which the people are trained and technical personnel prepared for all specializations in the armed forces in accordance with the relevant laws enacted by the General People's Congress.

Women in the Jamahiriya have enlisted in the armed forces, a special military academy has been established for them from which hundreds of officers graduate, and women rise to all military ranks. There is no discrimination between men and women in promotion to the highest military ranks, and there is no legislation that discriminates between men and women in respect of military rank or type of military uniform.

14. The role of women in trade union activity

The laws regulating the activities of trade unions and professional associations do not discriminate between men and women. They guarantee both the right to membership, and unions provide services to their members without discrimination.

15. Publicizing the Convention in the media

The Convention was publicized in the sound broadcasting media in the presentation by Jamahiriya Radio in Tripoli in the first half of November 1990 of a half-hour discussion programme on the objectives of the Convention and its importance for women's rights and on the efforts made by the United Nations and other international organizations in that regard.

16. The damage inflicted on women and on the people of the Jamahiriya by the implementation of Security Council resolution 748 (1992) concerning the aerial embargo imposed on the people of the Jamahiriya without justification and without evidence that would require the application of sanctions

However gifted a writer a person may be and however endowed with elegance of expression, he would not be able to bring out with sufficient truth and depth the true nature of the shock, the psychological feeling and the extent, the tragic nature and the enormity of the human suffering that has been experienced by all members of the Libyan Arab people, men and women, adults and children, elderly men and women, since the time the Security Council resolution came into effect and up to the time the present report is being prepared.

Because the unjust resolution applied to the people of the Jamahiriya was without justification and without any material evidence to support the reasons given for its adoption, Libyan men and women have viewed the application of this iniquitous resolution as having caused the loss of many lives and jeopardized the lives of members of the younger generation and as having brought about the lack of much medical equipment and of medicines, basic foodstuffs and inputs to production required in everyday life.

Libyan men and women feel that the embargo has caused them loss and damage in all areas of their daily lives. By way of example, the losses suffered by the following groups can be mentioned:

(a) Pregnant, sick and elderly women;

(b) Infants, and children in their early years of growth;

(c) Patients in a serious condition, because of accidents, heart disease, wounds caused by the mines left by Allied forces in the Libyan Desert and cancer, and who cannot be treated locally and must be taken abroad quickly by air.

1. In the first three months of the embargo, the Jamahiriya was unable to send out 3,445 patients suffering from cardiovascular disease, kidney disease, spinal injuries, cancer, nervous disorders, burns and injury in traffic accidents whose condition required speedy transportation by air for treatment in more advanced hospitals abroad.

2. The Libyan people was not allowed to place 156 medical orders worth 50 million United States dollars for the importation of vaccines and serums for use in the inoculation of the newborn and infants against dangerous diseases to which children must be immune if they are not to become infected with such deadly diseases as smallpox, poliomyelitis, rubella and the like.

3. The Jamahiriya has been unable to obtain replacement parts and operating equipment, normally imported from abroad by air as needed, for medical facilities in essential hospitals that offer scarce specializations.

4. Some 50 patients have died en route while being transported overland to Cairo or Tunis because treatment and necessary operations could not be postponed and because medication and equipment were not available locally.

5. The number of deaths caused by traffic accidents on the Tripoli-Cairo and Tripoli-Tunis roads has increased because citizens are forced to use surface transportation, and preliminary figures indicate that some 600 persons have died. Libyan men and women must also endure the hardships of travel with the time, expense and fatigue involved.

6. The embargo has caused a rise in prices of foodstuffs and shortages in the local marketplace, particularly of baby food, infant formula, medication and medical supplies, and it has led to the idling of plants producing milk and dairy products and baby food. The embargo has also meant that the Jamahiriya has been unable to import basic food and medical items for mothers and children valued at 175 million United States dollars.

Another class that has been damaged by the aerial embargo is that of the men and women working under contract in education, health and other sectors, who have been unable to return to their countries by air.

We in the Jamahiriya are of the view that the implementation of the Security Council resolution involves violations of the rights laid down in the Convention on the Elimination of Discrimination against Women and the Declaration of the Rights of the Child and a defiance of all present and future international covenants and agreements relating to the protection of women and children.